

**Lafayette County Planning & Zoning Committee Meeting
& Public Hearing for Special Exception Permits for U.S. Cellular (Steinhoff & Pehl
Properties) and Scott Lovelace**

January 11, 2012 at 6:30 PM

Ag Center Conference Room – County Courthouse

Chairman Wiegel called the hearing to order at 6:30 p.m.

Present: Jack Wiegel, Ted Wiegel, Dwayne Larson, David Halloran

Others present: Troy Maggied, Marilyn Steinhoff, Leonard Steinhoff, Nathan Ward, Mark Ward, T.J. Pehl, Scott Lovelace, Dave Stute

Chairman Wiegel called the meeting to order at 6:30 p.m. He asked the Administrator if the meeting was properly posted. Mr. Maggied verified that the meeting was posted in the Courthouse, the Municipal Building and the United States Post Office – Darlington Branch.

Certify that Open Meeting and Public Notice Requirements Have Been Met:

Chairman Wiegel asked the Administrator if all the hearings were properly posted. Mr. Maggied verified that the meetings were posted in the Lafayette County Courthouse, the Darlington Municipal Building, and the United States Post Office – Darlington Branch. Statements of Steve Hubner of notices sent and Class 2 publications have been completed special exception hearings.

Describe Committee Authority and Rules of Hearing:

Maggied described the authority out of the Lafayette County Zoning Ordinance on page 6-128(6-7-2.3(b)(2)) and page 6-125(6-7-1.3(B)(6)), discussing the A1 Ag District, which is what the proposed rezone and special exception application.

**U.S. Cellular Special Exception Hearing for Clare Pehl Family Trust and Leonard and
Marilyn Steinhoff Properties**

Read U.S. Cellular Special Exception Applications:

Chairman Wiegel read the applications filed by U.S. Cellular on behalf of the Steinhoff and Pehl Trust properties.

Call for Applicant s Presentation:

Nathan Ward, U.S. Cellular, stated that the two towers would improve cellular network in the area.

Call for Staff Report on U.S. Cellular Special Exception Application:

Maggied reported that both towers were self-supporting structures, one at 300' and one at 250'. Both towers meet the industry standard of being half their height from the nearest structure, with the Belmont tower exceeding this requirement and the Gratiot tower exceeding it in three of four directions.

Maggied reported that both facilities were secure, with 7' fences and lockable gates, greatly reducing safety or security concerns.

Statements in Support of U.S. Cellular Special Exception Application:

Nathan Ward responded to Maggied's questions regarding tower design by stating that the structures were designed to collapse on themselves, buckling in segments to prevent damage to adjacent structures. The industry standard set-back distance of half the tower's height is in place to protect structures and people from the dangers of falling ice that may accumulate in the winter.

Ward also stated that U.S. Cellular has agreements with every other wireless provider and can mount other provider's satellites in order to prevent additional towers in the area.

Ward stated that U.S. Cellular will get an FAA determination of impacts to airports prior to breaking ground. This was of particular concern with the Belmont Tower due to its proximity to the Platteville Regional Airport.

Ward reported Construction schedules for the towers being dependent on U.S. Cellular's finances. The current schedule would have construction complete this year. Ward stated that the land will stay open until construction starts and landowners are told to assume their normal course of business until notified that construction has been approved to begin. If landowners begin farming and are forced to stop due to construction, they will be compensated for their loss.

Statements in Opposition or Rebuttal of the Special Exception Application:

None.

Town Board Recommendation:

Maggied reported that both Belmont and Argyle town boards have approved the cellular towers in their respective towns.

Statements for Information (Committee Members and Staff) on the Special Exception Application:

None.

Last Call for Testimony on the Special Exception Application:

None.

Scott Lovelace Special Exception Hearing for Nonmetallic mine (quarry)

Read Special Exception Application:

Chairman Wiegel read the application.

Call for Applicant s Presentation:

Lovelace stated that the quarry would be a small sand pit for his plumbing business. Some sand would also be sold in small quantities to neighboring farmers to be used as bedding material.

Call for Staff Report:

Maggied stated that this small quarry is not dissimilar to other quarries in the county, and that he had no objection to the quarry.

Statements in Support of the Special Exception Application:

None.

Statements in Opposition or Rebuttal of the Special Exception Application:

None.

Town Board Recommendation:

Dave Stute, Town Chairman of Wiota, stated that the Town met on 12/8, but only received the application on 12/15 and so hasn't had the opportunity to vote on the issue. The Town will meet again on 1/19, and the Special Exception permit is on the agenda. Stute requested that the County either approve the permit conditional to Town approval or delay approval until the Town can vote on the matter.

Halloran asked if the Town might approve the permit with conditions that the County would then have to follow. Stute stated that he didn't see any specific rules that the quarry would need to follow in the Town, and stated that the permit wouldn't be passed with conditions.

Statements for Information (Committee Members and Staff) on the Special Exception Application:

None.

Last Call for Testimony on the Special Exception Application:

None.

Adjourn:

Motion was made by T. Wiegel and second by Halloran to adjourn the public hearing portion of this meeting.

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Lovelace**

January 11, 2012 at 6:30 PM

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Present: Jack Wiegel, Ted Wiegel, Dwayne Larson, David Halloran

Others present: Troy Maggied, Marilyn Steinhoff, Leonard Steinhoff, Nathan Ward, Mark Ward, T.J. Pehl, Scott Lovelace, Dave Stute

Chairman Wiegel called the meeting to order at 6:50 p.m. He asked the Administrator if the meeting was properly posted. Mr. Maggied verified that the meeting was posted in the Courthouse, the Municipal Building and the United States Post Office – Darlington Branch.

Action on Agenda:

A motion was made by T. Wiegel and second by Halloran to approve the agenda as posted and sent out. Motion carried

Approval of 12/1 and 12/5 Planning & Zoning Minutes:

A motion was made by Larson and second by T. Wiegel to accept previous minutes. Motion carried.

Limited Time for Public Comment:

No new comments were provided.

Review Standards for Special Exception Applications:

Maggied asked whether to read the standards for Special Exception Applications.

Discussion and Action on the Special Exception Application of Scott Lovelace in Wiota Township:

A motion was made by Larson and seconded by Halloran to approve the Special Exception Application for a sand quarry conditioned on approval by the Town of Wiota. Motion carried.

Discussion and Action on the Special Exception Application of U.S. Cellular in Belmont and Gratiot Townships:

A motion was made by T. Wiegel and seconded by Larson to approve the two special exception applications of U.S. Cellular. Motion carried.

Update on Zoning Projects:

Maggied stated that he was compiling information on the various zoning projects underway and would provide more detail at the next meeting.

Status of Working Land Initiative:

Maggied stated that he was compiling information on the status of the Working Lands Initiative and would provide more detail at the next meeting.

Status of determining who is responsible for enforcing draining of mapped wetlands and denuding river banks:

Maggied stated that he was compiling information on this issue and would provide more detail at the next meeting.

Letter from DATCP:

Maggied stated that Hubner had received confirmation that county farmers would still be eligible for tax credits despite the county having not yet adopted the new Farmland Preservation Ordinance.

Status on action to remove or remedy junk trailers in Elk Grove Township:

Maggied stated that he was compiling information on this issue and would provide more detail at the next meeting.

Violation of floodplain zoning two locations:

Maggied stated that he was compiling information on this issue and would provide more detail at the next meeting.

DNR requirements to update Shoreland Zoning Ordinance by 2014:

Maggied stated that he was compiling information on this issue and would provide more detail at the next meeting.

Discussion and possible action on Departmental Technology Issues:

Maggied requested a new computer for the department. The current unit is outdated and has minimal RAM and memory, and is not efficient.

A motion was made by Larson and second by Halloran to approve purchase of a new computer for the department. Motion carried.

Vouchers:

A motion was made by Halloran and second by Chairman Wiegel to approve the vouchers. Motion carried.

Next Meeting Date:

The next meeting will be February 8, 2012 at 6:30 p.m. in the Ag Center Conference Room.

Adjourn:

A motion was made by Chairman Wiegel and seconded by Larson to adjourn the meeting. Motion carried.

Recorded by,

Troy Maggied